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FOIA ID: F1997-066/6, D. Cohen

Date: 08/04/2004

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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1. memo (7205)	Frank Carlucci to H. Baker re Alton Frye's ideas, 1p <i>R 1/10/11 F97-066/6 #12</i>	10/5/87	B1

RESTRICTIONS

- B-1 National security classified information [(b)(1) of the FOIA].
- B-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA].
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- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
 - B-7a Release could reasonably be expected to interfere with enforcement proceedings [(b)(7)(A) of the FOIA].
 - B-7b Release would deprive an individual of the right to a fair trial or impartial adjudication [(b)(7)(B) of the FOIA].
 - B-7c Release could reasonably be expected to cause unwarranted invasion or privacy [(b)(7)(C) of the FOIA].
 - B-7d Release could reasonably be expected to disclose the identity of a confidential source [(b)(7)(D) of the FOIA].
- B-8 Release would disclose techniques or procedures for law enforcement investigations or prosecutions or would disclose guidelines which could reasonably be expected to risk circumvention of the law [(b)(7)(E) of the FOIA].
- B-7f Release could reasonably be expected to endanger the life or physical safety of any individual [(b)(7)(F) of the FOIA].
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE
WASHINGTON

Elaine,
pls. get to
Susan Slye
tonight. Thanks.
Kds

National Security Council
The White House

RECEIVED

JP

87 OCT 15 P 1: 32

System # 7205
Package # JP AIO 01
DOCLOG

	SEQUENCE TO	HAS SEEN	DISPOSITION
Bill Courtney	<u>1</u>	<u>WHR</u>	<u>A</u>
Marybel Batjer	<u> </u>	<u> </u>	<u> </u>
Grant Green	<u>2</u>	<u>G</u>	<u> </u>
Colin Powell	<u>3</u>	<u> </u>	<u> </u>
Frank Carlucci	<u>4</u>	<u> </u>	<u>A</u>
Grant Green	<u> </u>	<u> </u>	<u> </u>
Lou Michael	<u> </u>	<u> </u>	<u> </u>
Situation Room	<u> </u>	<u> </u>	<u> </u>
West Wing Desk	<u> </u>	<u> </u>	<u> </u>
NSC Secretariat	<u> </u>	<u> </u>	<u> </u>

I = Information A = Action R = Retain D = Dispatch N = No further Action

cc: VP Baker Other _____

COMMENTS Should be seen by: _____
(Date/Time)

Fixes need on ~~letter to Frye~~ done.

National Security Council
The White House

07/01/13 P 5:39 System # 7205
Package # 7205
DOCLOG A/O

	SEQUENCE TO	HAS SEEN	DISPOSITION
Bill Courtney	_____	_____	_____
Marybel Batjer	_____	_____	_____
Grant Green	_____	_____	_____
Colin Powell	_____	_____	_____
Frank Carlucci	_____	_____	_____
Grant Green	_____	_____	_____
Lou Michael	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	_____	_____	_____
NSC Secretariat	I	_____	reopen

I = Information A = Action R = Retain D = Dispatch N = No further Action

cc: VP Baker Other _____

COMMENTS Should be seen by: _____
(Date/Time)

back to Toney
for further action—
Baker instead

THE WHITE HOUSE

WASHINGTON

7205
Add-on

October 15, 1987

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: FRANK C. CARLUCCI *fc*
SUBJECT: Alton Frye's Idea on Defense and Space

At Tab A is the unclassified reply you requested concerning Alton Frye's ideas on Defense and Space.

Attachment

Tab A Reply to Alton Frye

A

THE WHITE HOUSE
WASHINGTON

Dear Alton:

I passed your idea on joint participation or monitoring of strategic defense tests to our arms control experts. They studied the proposal and will give it further thought, but I want to share with you their initial impressions.

- o The underlying assumptions of the proposal are that U.S. movement in Defense and Space is needed to get a START agreement and that this proposal will do it. The the Soviets have shown little or no interest, however, in our similar confidence-building proposals: Open Labs Initiative; reciprocal observation of tests; and data exchanges.
- o The proposal would be extremely difficult to verify. We could monitor ABM tests which the Soviets identified in advance. While we would declare our tests, they could test under the guise of some other activity (e.g., anti-satellite testing), or even evade detection of tests completely.
- o Finally, we would have to be careful that, in allowing the Soviets to monitor test data or to participate in tests, we do not facilitate the development of Soviet countermeasures. We must carefully balance our objective of building confidence for a stable transition with our goal of obtaining the technology for effective strategic defenses.

I very much appreciate your thoughts on these issues, and hope that you will continue to share them with me.

Sincerely,

Mr. Alton Frye
Director, Washington Program
Council on Foreign Relations
11 DuPont Circle
Washington, D.C. 20036

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7205
Add-on

October 15, 1987

ACTION

MEMORANDUM FOR FRANK C. CARLUCCI

FROM: WILL *WT* TOBEY/BOB LINHARD *SL*

SUBJECT: Response to Alton Frye

At Tab I is a memo to Senator Baker forwarding the response he requested to Alton Frye's ideas on the Defense and Space Negotiations.

Recommendation

That you sign the memo to Sen. Baker at Tab I.

Approve *N*

Disapprove _____

Attachments

Tab I Memorandum for Sen. Baker
Tab A Response to Alton Frye

~~SECRET~~

~~SECRET~~

7205

THE WHITE HOUSE
WASHINGTON

October 5, 1987

✓HS

INFORMATION

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: FRANK C. CARLUCCI *JK*
SUBJECT: Alton Frye's Idea on Defense and Space

You asked for my opinion of Alton Frye's proposal to allow joint participation or monitoring of strategic defense tests. I have several concerns about his idea:

- o The underlying assumption of the proposal is that U.S. movement is needed in Defense and Space to get a START agreement and that this proposal will do it. But, the Soviets have shown little or no interest in our similar confidence-building proposals: our Open Labs Initiative; reciprocal observation of tests; and data exchanges.
- o In areas where the proposal seems to go beyond what we have already tabled, it would imperil our goal of effective defenses. By allowing the Soviets to monitor all test data or to participate in tests, we would risk ensuring that Soviet countermeasures develop along with SDI, making effective defenses a goal we chase but never catch.
- o Finally, this proposal would be extremely difficult to verify. We would have the right to monitor only Soviet identified ABM tests. While we would declare our tests, they could test under the guise of some other activity.

The Defense and Space Interagency Group will be reviewing and elaborating on our proposals for confidence-building measures. Although I am skeptical about Frye's proposal, I will have my Staff ensure that agencies examine our alternatives in this area.

~~SECRET~~

Declassify on: OADR

Declassified

NLR F97-0666 #12

BY RW NARA DATE 1/10/11

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

7205
Add-on

October 15, 1987

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Tab I Memorandum for Sen. Baker

Tab A Response to Alton Frye

THE WHITE HOUSE

WASHINGTON

7205
Add-on

ACTION

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I very much appreciate your thoughts on these issues, and hope that you will continue to share them with me.

Sincerely,

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Director, Washington Program
Council on Foreign Relations
11 DuPont Circle
Washington, DC 20036

HOW TO PROTECT SDI AND CLOSE THE DEAL ON START

Recent changes in the Soviet position make possible an approach to the issue of strategic defense that meets the President's requirements and provides the basis for a START agreement.

From their adamant insistence that only research within the four corners of the laboratory was permissible, the Soviets have now moved to a more realistic acceptance that wideranging development and testing of the relevant technologies will proceed. They acknowledge that the ABM Treaty permits such activities at fixed sites on the ground, e.g. the large U.S. laser to be built at White Sands. Senior Soviet scientists even agree that some development and testing may take place in space.

Moscow now seeks assurances against unconstrained breakout on strategic defenses by a.) negotiating an agreed list of specific items that would not be tested in space and b.) arranging firmer commitments to adhere to the ABM Treaty for an extended period. For a variety of reasons, including their evident desire to close a deal with the Reagan administration and mounting confidence in Moscow that they can counter the projected defensive technologies, if necessary, the Soviets now seem willing to bargain seriously on the future relationship of defense and offense.

This gives the President the opportunity to achieve both his goal of major reductions and his goal of pursuing SDI. He can do so by framing his response to the latest Soviet concessions on the basis of principles he has already set forth.

--- The United States does not seek to exploit SDI to gain strategic superiority.

--- The United States seeks a cooperative transition to a new strategic regime in which defenses play an increasing role.

--- The United States offers to arrange "open laboratories" in which Soviets and Americans can observe each other's work on defensive technologies.

--- The United States is willing to strengthen the ABM Treaty by pledging continued adherence for a reasonable period to be negotiated.

--- The United States proposes that each side lay out for the other's inspection its planned development schedules for strategic defenses.

With these guidelines in mind, one can see a way to bridge the remaining gap between the two sides. Without agreeing to specify which technologies are permitted in space and which are prohibited, the President could build on his "open laboratories" and "cooperative transition" themes by the following proposal:

The United States and the Soviet Union will identify tests of strategic defensive technologies to be conducted jointly and/or under mutual observation. Each side retains the right to conduct such tests on a national basis, but commits itself to provide the other government an opportunity to examine specified payloads prior to launch and to monitor data collected during such tests.

It will take some persuading to get the Soviets on board and many details would require negotiation. For example, pre-launch examination of payloads should not require dismantlement or tampering with the hardware; it should permit visual and photographic observation on site prior to enclosure in the launch

shroud. There will be legitimate concerns on both sides about the loss of technological intelligence involved in such activities, but such inspections would not differ in substance from the verification arrangements required for the reductions process on offenses.

The virtue of this approach is that it would enable the parties to specify the technologies to be monitored, without prejudging whether they should be constrained. It imposes no prohibition or burden on full exploration of the SDI technologies, as may be warranted in the future, but may provide a basis for reaping the harvest of offensive reductions in the near term. It gives the Soviets their list without their limitations. It would lend credibility to the President's proposals for a cooperative transition and for open investigation of defensive technologies.

Coupled with the President's pledge of non-withdrawal from the ABM Treaty for a number of years, this concept could bring Moscow to accept the START agreement for which he has worked so long. It would also strengthen the President's hand measurably in requesting congressional support for SDI activities --- for they would then be "legitimized" by Soviet concurrence in a mutual monitoring scheme. Diplomatically and domestically, the initiative serves the President's purposes.

9/25/87

THE WHITE HOUSE
WASHINGTON

10/14/87

Date:

TO: Senator Baker

FROM: **SUSAN S. SLYE**
Staff Assistant
to the Chief of Staff

Here is the paper prepared by Alton Frye
that you requested yesterday.

Frank Carlucci's response to Mr. Frye's
previous memo is being declassified and
will be available tomorrow.

RESOLVING THE CONFLICT OVER TREATY POWERS

One may well be impatient with the legalistic dispute over treaty powers, but unless it is resolved the prospects are for protracted frictions between the Senate and the Administration --- and the expected INF Treaty will face added dangers in the ratification process.

No reasonable person really wants the Senate to contend with the entire negotiating record, as Senator Nunn says may be necessary; and no reasonable person, including Judge Sofaer, really believes that the Executive Branch has the right to represent a Treaty as meaning one thing at home and another with foreign negotiating partners.

In spite of the intense feelings that have arisen on this issue, there is room for a constitutionally sound and politically acceptable accommodation. It could be helpful to seek that resolution at the level of principle, rather than in the emotional context of specific action on the ABM Treaty.

1.) To simplify, Judge Sofaer's contention is that where the ratification record differs from the negotiating record, the valid interpretation rests on the negotiating record. The first assumption must be that the executive branch will act in good faith to ensure that representations to the Senate are congruent with the text and interpretations agreed upon in the negotiations. If there is doubt about that assumption, however, Judge Sofaer's position permits a straight-forward approach to reconciling possible differences between the branches.

His argument would not apply, as I believe he would acknowledge, if the Senate had specifically conditioned its advice and consent by specifying that, as a matter of domestic law, the binding obligations for the United States are those presented to the Senate. As a practical matter, one may expect the Senate to add such a condition to future treaties, thereby putting both the Executive Branch and foreign parties on notice that ratification is based on the text and interpretations approved by the Senate.

Such a reservation might take a form similar to that in a number of statutes, e.g.

"Notwithstanding any public or private statement or communication by any official of the United States government to any other party to a treaty, during or following the negotiation of that treaty, the text and interpretations of the treaty presented to the Senate as the basis for advice and consent constitute the only binding obligations of the United States."

That kind of proviso could become a standard element in future Senate resolutions on treaties. If so, it would make it unnecessary for senators to insist on the unworkable, wholesale demands of the sort described in Senator Nunn's September 1 letter to the President --- demands which he recognizes would encumber both branches.

If some Senate expression of this kind is predictable, it would be far better for inter-branch comity if the general principle were

expressed in statutory form on which the President could concur and through which foreign parties would be alerted to the general standard governing U.S. interpretation of future treaties. In short there is a powerful case for the President to embrace what he cannot avoid --- and to do so in a way that gains maximum benefit in smoothing relations with the Senate. Constitutional imperatives and institutional pride make it inconceivable that the Senate would endorse future treaties on the basis that the President retained authority to interpret them in ways that render meaningless prior assurances to the Senate.

Note that this does not resolve all issues of interpretation or reduce the scope of executive authority to interpret the gray zones which remain in all agreements. Many issues will arise for which the ratification record does not provide definitive guidance. This changes in no way the President's authority and obligation to ensure faithful execution of the laws, including his power to base his actions on good-faith interpretation of matters not fully explicated in the ratification (or negotiating) record.

2.) What about past treaties, regarding which the Senate did not explicitly condition approval on the understanding that the ratification record is controlling?

It might suffice for the President to build on his previous assurances regarding the ABM Treaty, declaring that as a general policy the Executive Branch will interpret treaties in accordance with the representations to the Senate during ratification. This could be supplemented by notification to other States that this is to be the U.S. interpretive standard.

Such a notification would offer considerable reassurance to Congress and would afford other governments ample opportunity to raise questions if they identify apparent contradictions between the negotiating record and the ratification record.

The effect of this Presidential declaration/notification would be to shift the burden of clarification off the Senate and onto other governments. Some will say that we do not delve closely into other government's domestic ratification procedures and that we cannot expect them to do so. But the fundamental premise is that the international and domestic readings of a treaty are not contradictory.

If questions arise suggesting otherwise, it is more reasonable to expect foreign governments to examine the public ratification record in the United States than to expect the Senate to credit a voluminous, secret negotiating record to which it has not been privy.

In truth foreign governments do monitor domestic debates here regarding controversial treaties; this suggestion does not add unduly to the burden they already accept. If other governments detect divergencies between the two records, or if they do not accept the obligations described in executive descriptions of the agreement to Congress, they

would have ample opportunity to make that known to the United States, inviting further negotiation or termination of the agreement. It would be a simple matter routinely to transmit to other States copies of the relevant hearing records, executive submissions and legislative debate. A procedure of this nature would eliminate the substantial uncertainty that has now arisen over which standard the United States will follow --- an uncertainty as troublesome for foreign governments as for the Senate.

Emotions are so high on this subject that it may be wiser to incorporate the principle in statutory form legally aligning both branches, rather than to risk suspicion that a mere policy declaration is a cover for evasion. One could do this with generalized language like the illustration offered above. Properly presented an initiative along these lines would break the current Senate deadlock and shift discussion off the specific and divisive topic of the ABM Treaty.

How this concept fits into the particular problems of the ABM Treaty will require another memorandum. For now, apart from recalling that hard cases make bad law, one notes that the President has already expressed his intention as a matter of policy to adhere to the original interpretation presented to the Senate. Furthermore, a reinforcing signal along these lines would undoubtedly be beneficial in the larger bargaining process now unfolding with Moscow. Should later developments warrant a different position, the initiative described here leaves entirely open possibilities of renegotiation with the Soviets or withdrawal from the Treaty.

September 11, 1987

COUNCIL ON FOREIGN RELATIONS

ALTON FRYE
Washington Director

December 4, 1987

The Honorable Howard H. Baker, Jr.
Chief of Staff
The White House
Washington, DC 20500

Dear Howard:

Sometimes technology helps politics along. A colleague and I have framed a technical solution for the problem of handling sea-launched cruise missiles in relation to strategic arms reductions.

In order to meet the American requirement to maintain a mixed force of conventional and nuclear armed SLCMs, we are proposing to use permissive action link devices to guarantee that conventional SLCMs are not converted to nuclear SLCMs.

In brainstorming this concept with Evgeny Velikhov (who is here to be a principal technical advisor to Gorbachev), we find him very excited about the idea and eager to discuss it in the context of START issues at the summit. At his request, Peter Zimmerman and I are giving him the enclosed paper. Just in case it arises next week, I thought you and your colleagues should be aware of the idea and its origins.

Cordially,



Alton Frye

Enclosure

*Hope your "Meet the Press"
session goes well.*

Permissive Action Links and the SLCM Verification Problem

Although the United States and the Soviet Union appear to be nearing agreement on general provisions for a major reduction in strategic offensive nuclear arms, one category of weapon stands out as being difficult to limit. The long-range nuclear-armed Sea Launched Cruise Missile (SLCM) is externally identical to conventionally armed variants. The similarity is so great that verification of a limit on nuclear-armed SLCMs by national technical means appears impossible. Conventional SLCMs for use against surface ships have become essential weapons in both navies, but if there are no effective limits on nuclear-armed SLCMs, growth in their numbers would vitiate reductions in other categories of nuclear weapons. Unless SLCMs are regulated in a mutually acceptable way, they could frustrate goals sought by both President Reagan and General Secretary Gorbachev.

The critical questions are two: can the two sides devise a satisfactory method to distinguish conventional SLCMs from nuclear SLCMs and can they guarantee that neither side could convert conventional SLCMs into nuclear delivery vehicles? We propose to meet these goals by an application of existing technology -- the so-called Permissive Action Link (PAL) devices which prevent unauthorized use of nuclear weapons -- to the SLCM verification problem.

1.) Recognizing that full resolution of the SLCM problem will take additional time to negotiate and implement, we suggest that initial SLCM warhead limits be agreed to outside of the framework of 6,000 strategic weapons allocated to each side. Providing the ceiling on SLCMs does not exceed a few hundred, these weapons would not alter the strategic balance nor dissipate the arms control progress made by achieving agreement on the basic 6,000 limit. The SLCM limit could be set forth in a protocol to any framework agreement reached in the near future, with instructions given to complete work on the details of its verification.

2.) In controlling SLCMs three numbers must be known: the total number of missiles produced, the number equipped with conventional weapons and the number equipped with nuclear weapons. Only the third of these need be controlled by agreement, but production monitoring and an initial data base are essential. INF arrangements for monitoring cruise missile factories already provide the basis for such procedures, but would have to be extended to cover Soviet facilities as well.

One could envision packaging all SLCMs in a tamper-resistant shroud which could be tagged and verified. It is, however, relatively easy to exchange an uncontrolled conventional warhead for a nuclear one. For that reason the main requirement is to encapsulate and seal any SLCM to be counted as conventional, leaving all other SLCMs to be counted as nuclear-armed.

During the past three decades PAL technology has been incorporated into many U.S. nuclear weapons. In principle a PAL is a tamper-resistant seal which denies the use of the weapon to anyone who does not possess the proper access code, but modern PALs are also equipped to destroy the weapons they protect if an attempt is made to defeat the seal. We propose, therefore, that the launching capsules of **conventionally armed** SLCMs be equipped with an equivalent seal incorporating PAL technology and a destruct mechanism. The seal would be emplaced by both the operating and inspecting countries with two separate "keys" (actually numeric codes) required to remove it. Both sides would have the right to make periodic spot checks of conventional SLCMs deployed on ships and of any SLCM moved on or off vessels in port for maintenance.

The PAL seal must not interfere with the weapon if it is fired. Its sole function would be to prevent conversion of a conventional SLCM to a nuclear-armed missile. It must also be completely passive, containing no radio emitting circuitry which could betray the location of the launch platform. If the seal did not meet these requirements, the operating country could not accept it as a part of its weapons. On the other hand, the inspecting country must be certain that the seal cannot be removed. Co-operation will be necessary.

As one possibility, the operating country could design the seal and destruct mechanisms and then contract for their construction with the inspecting country. The inspecting country would produce twice as many seals as were required; half of that output could then be sampled and tested at random by the operating country before its conventional SLCMs were sealed.

As an alternative, the two countries could jointly design, test and manufacture the devices, installing them randomly from a common inventory and under continuous surveillance. Sampling procedures could then confirm that systems installed on both sides' operational forces were functioning as designed.

Very little information about the interior and operating principles of the missiles to be sealed would need to be disclosed to the inspecting side. Indeed, the inspectors would not need to peer beneath the outer skin of the missile nor need to know more than the external dimensions and perhaps the location of one vulnerable spot, the guidance system for example, in order to have confidence that the seal, if tampered with, would render inoperative the missile it protected.

The engineering problems involved in designing the actual hardware should be manageable -- particularly when compared with the political hurdles already overcome. As a technical task, such an approach should be no more formidable than that already achieved in the installation of PALs on nuclear weapons.

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The engineering problems involved in designing the actual hardware should be manageable -- particularly when compared with the political hurdles already overcome. As a technical task, such an approach should be no more formidable than that already achieved in the installation of PALs on nuclear weapons.

Dear Academician Velikhov:

This is a brief written statement of our ideas on applying P&T technology to the SLCM verification problem. We hope you will find it interesting and potentially useful. You are, of course, free to share the paper with your colleagues and to mention our names in connection with it.

We are going to mention this idea to American officials as well in the hope that it might prove mutually worthwhile. Since we only began to develop this idea in the last few days, however, there has been no time for full consideration among knowledgeable analysts. We offer it as a concept for careful study, but do not suggest that any decisions should be taken until further analysis. The more we think about it, the better we like the plan, but it will require much persuasion of interested leaders and institutions in both countries.

We look forward to exploring these subjects with you further.

With best personal wishes,

Sincerely,

F.B. We are also sending along the other paper in which you were interested. It is only a preliminary draft and should not be quoted, but it provides a good context for discussing issues related to cruise missiles.

ID # 492965C0165WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET O - OUTGOING H - INTERNAL I - INCOMINGDate Correspondence
Received (YY/MM/DD) 87/10/12CSBAK1Name of Correspondent: Alton Frye MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: USSR force reductions

ROUTE TO:

ACTION

DISPOSITION

Office/Agency <u>CS Bak1</u>	Action Code <u>ORIGINATOR</u>	Tracking Date YY/MM/DD <u>87/10/23</u>	Type of Response <u>WS</u>	Completion Date YY/MM/DD <u>1/1</u>
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ACTION CODES:

A - Appropriate Action
 C - Comment/Recommendation
 D - Draft Response
 F - Furnish Fact Sheet
 to be used as Enclosure

I - Info Copy Only/No Action Necessary
 R - Direct Reply w/Copy
 S - For Signature
 X - Interim Reply

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Code	Date	Comment	Form
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SIGNATURE CODES:

CPn - Presidential Correspondence

- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

CLn - First Lady's Correspondence

- n - 0 - Unknown
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

CBn - Presidential & First Lady's Correspondence

- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

COUNCIL ON FOREIGN RELATIONS

492 965

ALTON FRYE
Washington Director

October 21, 1987

The Honorable Howard H. Baker, Jr.
Chief of Staff
The White House
Washington, DC 20500

Dear Howard:

Thank you for letting me have those initial impressions of the concept I passed along to you. Each of the issues raised is plausible and deserves a considered response.

1.) That the Soviets have shown little interest in the Open Labs Initiative and related ideas does not mean they would reject this proposal. Identifying specific tests that would be subject to mutual monitoring would give meaning to the President's previous confidence-building offers and would go part way toward meeting the Soviet interest in discussing specific types and ranges of technology. Without prohibiting either party from testing such technology, the process of devising such a list would lend credibility to proposals about which the Soviets have been skeptical.

Presented constructively, the idea of a "list for monitoring" rather than a "list for banning" has substantially better chance of acceptance than the vaguer formulations put forward earlier. It is a way to give content to offers the President has already made and it involves no problems beyond those posed by offers he has conveyed in the past. The way to find out if it can advance the negotiations, of course, is to put the proposal to Moscow.

2.) Surely this approach would diminish rather than increase verification problems. The Soviets already can disguise ABM tests as antisatellite tests; they now conduct related tests with no prior notice to us. They have many more opportunities to evade detection at present than they would have if the two sides had identified the specific technologies of concern and spelled out procedures to ensure that key tests would be observed.

One virtue of developing the specifications for mutual monitoring arrangements is that it would multiply the indicators of Soviet compliance. To accomplish significant evasion, they would have to skirt the boundaries of the technology-monitoring list repeatedly over a period of years. Unless we have been totally inept, we will have established standards for monitoring that increase our opportunities to

detect relevant Soviet tests and reduce the zone in which Moscow can operate with virtually complete freedom.

Judged in terms of our chronic disadvantage in gaining intelligence about Soviet R & D, this plan could provide unprecedented access to Soviet test programs. As the JCS would point out, it is the Soviets who have the heavy lift capacity for space tests. We could advance our own interest by getting better information on how they are using those big boosters. If we are seeking a cooperative transition to some reliance on strategic defenses, this plan is an elementary approach to increasing both sides' confidence that they can protect themselves against attempts at unilateral breakout.

3.) The other side of the coin is obvious: we must guard against conferring advantages on the Soviets that they could exploit against us. That concern relates both to general possibilities for the loss of technical intelligence and to particular dangers of facilitating Soviet countermeasures against prospective defenses. But President Reagan has said repeatedly that he would share the benefits of SDI technology with the Soviets. If so, there would be no need to worry about their indirect acquisition of information on which to base countermeasures; they could work that task directly from hardware obtained from us.

Quite apart from the mutual monitoring scheme I have described, there is a serious tension between persuading the Soviets that we are working for a cooperative transition --- and that is the objective of the President's Open Labs initiative, his assurances that we do not seek military superiority, and other proposals to make the two sides' defensive programs more transparent --- and retaining the option to impose strategic defense on them by defeating any countermeasures they may contrive.

This issue is not unique to the mutual monitoring concept. One must choose which element to emphasize --- cooperation or dominance. In the spirit of the President's earlier assurances, logic suggests that priority should go to exploring whether and how a cooperative transition might be accomplished. The mutual monitoring plan serves that goal. If it proves non-negotiable or the Soviets later show bad faith, then the United States will have to shift emphasis. But unless the two sides begin to define what they mean by a "cooperative transition", the option will die aborning. In that event there is little likelihood of the deep cuts in offensive forces for which the President has worked.

In short, while I appreciate the apprehensions reflected in the reactions by some officials, they do not impress me as compelling. The expressed concerns apply with equal force to proposals the President has already made, proposals which have so far been insufficient to wrap up the drastic force reductions that are his to grasp. In my opinion, the mutual monitoring concept is a more promising idea for achieving the President's stated goal of a cooperative approach to future defenses and for reaping the harvest of deep cuts which his diplomacy has earned. It

would be tragic beyond words if we lost both of those historic objectives because of a failure to invent fresh diplomatic solutions at this crucial juncture.

As always, I appreciate your willingness to consider the views of a friendly kibitzer.

With warmest regards,

Cordially,



Alton Frye

P.S. Also thought you would want an alert on another matter. Breaking with tradition, the Soviets have begun to publish articles by some Americans, recently including Bob Dole, Jeane Kirkpatrick and Max Kampelman. After discussion with Max, I have accepted an invitation to do a piece in Izvestia. I don't know when it may run, but a copy is enclosed.

Enclosure

HHB would like to sign this out today.

THE NUCLEAR STALEMATE: FROM TRUCE TO TRUST

An altered psychology has taken root in East-West relations. For Americans, as well as for Soviets, the themes of glasnost and perestroika have become symbols of hope.

Secretary of State George Shultz gave voice to that hope, declaring that "things have changed tremendously in the relationship between the United States and the Soviet Union." The first fruits of change came when he and Foreign Minister Eduard Shevardnadze reached agreement in principle to eliminate Intermediate Nuclear Forces (INF) in Europe and Asia. Their success on INF demonstrated that these ministers can represent their governments vigorously, but without the rancor that has often clouded superpower diplomacy. Their discussions mark the restoration of civility in Soviet-American relations.

Realists recognize that the INF accord will have little impact on the strategic balance. The weapons involved are a small fraction of the strategic arsenals, which are still growing on both sides. The Soviet Union and the United States have ample strategic weapons to cover every target now assigned to INF warheads. Unless the INF deal is followed promptly by more far-reaching agreements, it will be meaningless. The value of the INF agreement is political. It creates a context and momentum for the deep cuts in central strategic forces discussed at Reykjavik in 1986. The closing months of the Reagan presidency and the opening months of the Gorbachev era provide a unique historical conjunction that invites such a breakthrough.

Thanks to the diligence of Soviet and American diplomats, elements of that strategic accommodation are already in place. What

remains is to concentrate on resolving the crucial dispute over the future relationship between the massive offensive forces which exist and various defensive systems which might someday come to be.

Each country has been apprehensive that introduction of novel defenses would undermine the effectiveness of its strategic deterrent. Particularly since President Reagan accelerated work on his so-called Strategic Defense Initiative (SDI), Soviet authorities have been preoccupied with the problems that might arise from space-based defenses.

Gradually, however, it has become clear that such technologies, even if eventually feasible, could not provide either side with decisive advantage. American and Soviet studies have convinced experts that both powers have the means to counter such defenses. Largely for that reason the U.S. program has not proceeded at the pace envisaged by Mr. Reagan. Congress has reduced funding and given priority to preserving the 1972 treaty limiting anti-ballistic missile systems.

In this calmer atmosphere it is now possible to consider the offense-defense equation more deliberately, free from alarmist rhetoric about "star wars." To a degree not widely known, Soviet and American negotiating positions currently contain the seeds of a sensible balance between reductions in offenses and assurances of continued restraint on defenses.

Mr. Reagan himself has emphasized that he does not seek to exploit SDI for military superiority. He has stressed that any transition to greater reliance on defenses should be a cooperative one. Attempting to reassure the Soviet government, he has proposed "open laboratories," permitting each side to track the other's work on defensive technologies (although he has not defined what "open laboratories" would mean). He has offered an explicit commitment not to withdraw from the ABM Treaty until

the end of 1994, leaving to his successors the judgement as to whether developments warrant that action. And Secretary Shultz has called for regular exchanges of information about the two sides' planned tests in this field.

For his part Foreign Minister Shevardnadze has presented several reasonable approaches. He suggests that the United States and the Soviet Union specify certain critical technologies and define "thresholds" or levels beyond which neither side will test in outer space. Alternatively, he proposes a firmer commitment that both countries will abide by the ABM Treaty as signed and ratified in 1972, meaning presumably the original interpretation that both houses of Congress have endorsed.

With these constructive overtures in play, perhaps an independent analyst may be allowed to suggest ways to bridge the gap. Moscow and Washington share an essential interest in shaping a more predictable strategic environment and ensuring that they will have time to respond to the unpredictable turns of evolving technology. How could they start the process of reducing offenses while managing the uncertainties generated by research on defenses?

(1) If the two sides cannot agree on which tests in space should be permitted and which banned, they should identify technologies which they would test jointly or under arrangements for mutual monitoring. For specified experiments each side should have the right to examine the payload prior to launch and to monitor the test at the other's facilities.

Building on Reagan's offer of open laboratories and his readiness to exchange lists of projected experiments, this would lend credibility to the declaration that any transition toward a role for missile defenses must be cooperative. At the same time it would extend recent Soviet proposals for verification of other arms restraints. The Soviet Union's

forthcoming attitude on monitoring nuclear tests is a crucial precedent here. It has paved the way for resumption of talks that could well scale down the number and size of nuclear tests.

Subjecting key defensive experiments to reciprocal observation would afford both sides early warning of any major innovation requiring a response. At this preliminary stage in American-Soviet strategic collaboration, it would be a prudent compromise. Regulation, rather than prohibition, is the proper standard for coping with differences over matters so shrouded in contingency.

(2) In a similar spirit, it would be useful to shore up the ABM Treaty by extending its requirement for notice of withdrawal from one to several years. The negotiations at Reykjavik pointed toward some flexibility on this point and there is good reason to address the issue directly. If this matter is to be settled in a way that accommodates Soviet preferences, evidently it will be important to meet the principal American concern about the Treaty, namely, the dispute over the large Soviet radar at Krasnoyarsk.

The governments need a clear perspective on these factors. Weighed strictly in security terms, it matters little whether they set a five-, seven- or ten-year notice for withdrawal or whether any particular radar is completed or demolished. These questions do not compare in significance with the larger opportunity to strengthen strategic stability by negotiated restraints on offenses. They should be resolved forthwith.

(3) Even if we contrive ways to increase predictability of strategic trends, there will remain a need to guard against the collapse of the arms control process. No single agreement will end the wariness that infects superpower behavior. Especially at the outset of reductions, it could be helpful to make them reversible in the event that bad faith or

unexpected threats materialize.

This could be done by adopting a scheme for phased dismantlement of weapons, storing their main components in separate locations under mutual surveillance. For example, missiles would be taken apart and their stages placed in sites some distance from each other. Aircraft engines and control surfaces would be removed under similar procedures. The objective would be to render the systems inoperable without several months of work and without the knowledge of both parties.

This approach, known as "strategic escrow," would provide a low-risk way of reaping the benefits of immediate reductions. It would also create maximum incentives for restraint on strategic defense. Judged politically, an ongoing process that shrinks the threat would itself be a substantial guarantee of continued restraint on defenses. Who would be so foolish as to try a costly and chancy breakout on defenses, knowing that the other side could react by rapid redeployment of thousands of warheads?

Reduction and destruction are better than reduction and retention, but the escrow plan may be the best way to get the process started soon.

These ideas illustrate possibilities for overcoming the main obstacle to the drastic cutbacks Reagan and Gorbachev seek. In considering options for a START agreement, one cautionary note is in order. Both leaders would be well-advised to avoid soaring calls for the abolition of all nuclear weapons. The plain fact is that no one knows how to do that. Dwelling on visionary ambitions may divert attention from more modest and doable tasks. And it risks contaminating vital diplomacy with overtones of mere propaganda.

As we confront these strategic dilemmas, it is encouraging to see the Soviet-American dialogue move beyond narrow official channels.

Americans take heart from the fact that Soviet journals are now publishing the views of such leaders as Senator Robert Dole, Jeane Kirkpatrick and Ambassador Max Kampelman. By the same token American readers are learning from the views of distinguished Soviets like Alexander Yakovlev, Gyorgy Arbatov, Andrei Sakharov and Yevgeny Velikhov. Sharing the common peril of the nuclear age, it is essential to share our concerns and ideas for relieving that peril.

The novelist Jack London once described "the menacing truce that marks the meeting of wild beasts." The American and Soviet peoples have themselves endured such a truce, a truce unworthy of human beings. Ronald Reagan and Mikhail Gorbachev have it within their power to break the spell of nuclear hostility. By seizing the moment, they can lay the foundation of trustworthiness on which civilized relations depend.

Memorandum from: ALTON FRYE 12/3

Howard:

As a protocol
point, it is
"academician" Arbatski.

He is one of the few
members of the Soviet
Academy of Sciences
who is not a
physical scientist
or engineer.

Altay

P.S. I now understand he
will still be in Moscow
on Sunday.

COUNCIL ON FOREIGN RELATIONS

TO: Howard Baker

December 3, 1987

FROM: Alton Frye

SUBJECT: Meet the Press with Gyorgy Arbatov

BACKGROUND

I understand that Arbatov broke his leg and will now be coming to Washington with Gorbachev, rather than ahead of him. He may be in London when you do the program and I will probably not have a chance to see him before then. I may, however, chat with one or two of his colleagues who will be in touch with him before the program; if I have anything useful to report, I will call you.

Arbatov studied at the Institute of International Relations which has produced many of the leading Soviet diplomats (Dobrynin, Vorontsov, Bessmertnykh) and journalists (Vikenty Matveyev of Izvestia), but he has devoted most of his career to developing the Institute of USA and Canada as a center for research and training. There are tensions between the career diplomats and his Institute professionals, but they work together surprisingly well; Arbatov regularly has some of his own people assigned to the embassy in Washington for training and liaison purposes. (His son, Alexei, is a staff member of another Moscow institute, and is an astute strategic analyst with a growing reputation in both countries --- a lot better on the details and technologies than his father.)

Arbatov's and Dobrynin's proteges are the two main pools of talent on which Soviet leaders draw for knowledge of the United States. To the surprise of some, Dobrynin's return to Moscow has not meant Arbatov's eclipse; Gorbachev seems comfortable taking counsel from both of them.

Arbatov had a heart attack in the seventies and a drinking problem, as well, but he seems to be in fair shape now. His election to the Supreme Soviet and to the Central Committee have reflected his steady rise to the highest councils. As one who invested heavily in promoting detente during the Nixon/Ford period, he was in some jeopardy when relations soured. He is in some degree bitter about that experience and angry at the unreliability of the United States for failing to ratify prior agreements. Nevertheless, he has continued to emphasize the urgency and the possibility of more constructive superpower relations.

His tone is often grudging and many Americans resent him, but he has in fact been a force for moderating the harder line Soviet positions. In particular, he has apparently been a real weight in coaxing Gorbachev to relax his initial stiff stand on development and testing of strategic defenses. Largely because Arbatov understands the restraining effects of congressional action on the ABM Treaty and SDI budgets, he seems to have argued for the more modest Soviet approach now unfolding, i.e. tying START reductions to more general commitments not to withdraw from the

ABM Treaty for an extended period, acknowledging wide latitude under the Treaty for exploration of the relevant technologies, admitting that the Soviets are also conducting such programs.

POSSIBLE POINTS FOR PROGRAM

1. Note importance of clear communication between superpowers. Recognize contribution Arbatov has made through his own role as a two-way channel and even more through his Institute's education of hundreds of professionals who know the United States well enough to understand trends here, our values, purposes, and capabilities. The most dangerous thing would be for either country to base its actions on misguided notions about the other side's real character, intentions, and capacities.

2. President Reagan's meetings with General Secretary Gorbachev confirm the necessity for carrying that communication to highest levels. Search for pragmatic solutions to common problems is the enduring obligation of statesmen, especially for statesmen in the nuclear age.

3. Obviously, there are many issues, frictions and difficulties beyond those of arms control and nuclear stability. One standard for judging possible agreements on weapons is whether they facilitate or impede progress in other areas. No one should want an arms deal in one field if it makes conflict more likely in another. We see the INF accord as a solid building block, valuable in its own right and even more useful as a step toward addressing other problems of security. Must manage the threats to security or it is unlikely that we can move on to a more affirmative agenda between our two nations. Security problems are primary.

4. Key question is not whether our interests are identical; they are not. Key question is whether Americans and Soviets can frame policies that are compatible, policies built on frank understanding that the competition will continue in many forms but that it must be pursued with greater restraint than has been shown in the past.

5. Both sides are wary but the encouraging evidence of recent months is that both sides can change. General Secretary Gorbachev seems to appreciate that, as a nation of immigrants, America is concerned about Soviet limits on the right of individuals to emigrate. At the same time, President Reagan has been telling Americans that their attitudes toward the Soviet Union should take account of the new themes sounded by Mr. Gorbachev. Both sides are expressing a willingness to respect each other's particular security requirements, and the INF arrangements for verification indicate that the two governments can devise concrete procedures to prevent cheating --- and, equally important, to reduce the fear of cheating. Given wise leadership, changes in policies and attitudes can make it possible for quite different political systems to find common ground on essential matters that affect the fate of

both.

6. A basic challenge: How can each side demonstrate to the other that it will not exploit regional conflicts to gain political advantage? How can we get the superpowers working together to dampen and resolve such conflicts, rather than against each other in ways that exacerbate them? Not realistic to expect can always do so, but need to strive for Soviet-American cooperation in settling such regional disputes, for example, in the Persian Gulf area. Not within our power to end the Iran-Iraq war, but it is within our power to create incentives for the parties to end it.

As Secretary Shultz put it, "things have changed tremendously in the relationship between the United States and the Soviet Union." We are not naive, but we intend to do everything possible to build on that change, to seek ways to bridge our differences and reduce the political antagonisms that continue to divide us.